

1                                   **BOARD OF REGISTERED NURSING**  
2                                   **DEPARTMENT OF CONSUMER AFFAIRS**  
3                                   **STATE OF CALIFORNIA**

4   In the Matter of:

Case No. 2004-69

5   DENNIS EDWARD BRIGHT  
6   24792 Hidden Hills, #5B  
7   Laguna Niguel, CA 92677

Registered Nurse License No. 263642

Respondent.

9  
10                                   **DECISION AND ORDER**

11                               The attached Stipulated Surrender of License and Order is hereby adopted by the  
12   Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

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14                               It is so ORDERED on \_\_\_\_ August 20, 2007 \_\_\_\_.

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16                               This Decision shall become effective on September 19, 2007.

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18                                   *Ruth Ann Terry M.P.H., R.N.*

19                               Ruth Ann Terry, Executive Officer  
20                               FOR THE BOARD OF REGISTERED NURSING  
21                               DEPARTMENT OF CONSUMER AFFAIRS

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**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of:

Case No. 2004-69

DENNIS EDWARD BRIGHT  
24792 Hidden Hills, #5B  
Laguna Niguel, CA 92677

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

Registered Nurse License No.263642

Respondent.

IT IS HEREBY STIPULATED AND AGREED by and between the parties that  
the following matters are true:

PARTIES

1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of  
the Board of Registered Nursing, who brought this action solely in her official capacity.

2. DENNIS EDWARD BRIGHT (Respondent), is a probationary registered  
nurse.

JURISDICTION

3. On June 2, 2005, the Board of Registered Nursing adopted Stipulated  
Settlement and Disciplinary Order No. 2004 - 69, which became effective on July 5, 2005. The  
Stipulated Settlement and Disciplinary Order requires, inter alia, the respondent to serve a three-  
year probation term that includes Probation Conditions # 1 through # 14. The Stipulated  
Settlement and Disciplinary Order is attached as exhibit A and incorporated herein by reference.

Condition #13 of the Stipulated Settlement and Disciplinary Order allows  
the Board of Registered Nursing to accept the surrender of the respondent's license if he ceases  
practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of  
probation.

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1                   11.     Respondent shall cause to be delivered to the Board both his wall and  
2 pocket license certificate on or before the effective date of the Decision and Order.

3                   12.     Respondent fully understands and agrees that if he ever files an application  
4 for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a  
5 petition for reinstatement. Respondent must comply with all the laws, regulations and  
6 procedures for reinstatement of a revoked license in effect at the time the petition is filed. .

7                   13.     Upon reinstatement of the license or prior to issuance of any new license  
8 by the Board, Respondent shall pay to the Board costs associated with its investigation and  
9 enforcement pursuant to Business and Professions Code section 125.3 in the amount of  
10 \$1,000.00 which is the amount currently owed pursuant to Stipulated Settlement and Disciplinary  
11 Order No. 2004-69 (Exhibit A). If the reinstatement of Respondent's license is granted,  
12 Respondent shall be permitted to pay these costs in a payment plan approved by the Board.

13                  14.     Respondent shall not apply for licensure or petition for reinstatement for  
14 two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.


DATED: 7-17-07

  
DENNIS EDWARD WRIGHT  
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully accepted by Ruth Ann Terry, Executive Officer for the Board of Registered Nursing.

DATED: 8/1/07

  
RUTH ANN TERRY  
Executive Officer  
BOARD OF REGISTERED NURSING

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**EXHIBIT "A"**

Stipulated Settlement and Disciplinary Order No. 2004-69

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

DENNIS EDWARD BRIGHT  
24792 HIDDEN HILLS, # 5B  
LAGUNA NIGUEL, CA 92677

Case No. 2004-69

Registered Nurse License No. 263642

Respondent

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as it's Decision in the above entitled matter.

This Decision shall become effective on JULY 5, 2005.

IT IS SO ORDERED JUNE 2, 2005.

*Sandra R. Erickson*

President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 BILL LOCKYER, Attorney General  
2 of the State of California  
3 TIMOTHY L. NEWLOVE, State Bar No. 73428  
4 Deputy Attorney General  
5 California Department of Justice  
6 110 West "A" Street, Suite 1100  
7 San Diego, California 92101  
8  
9 P.O. Box 85266  
10 San Diego, California 92186-5266  
11 Telephone: (619) 645-3034  
12 Facsimile: (619) 645-206  
13 Attorneys for Complainant

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**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2004-69

DENNIS EDWARD BRIGHT  
24792 Hidden Hills, #5B  
Laguna Niguel, California 92677

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

Registered Nurse License No. 263642

Respondent.

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
above-entitled proceedings that the following matters are true:

**PARTIES**

1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer  
of the Board of Registered Nursing. She brought this action solely in her official capacity, and  
is represented in this matter by Bill Lockyer, Attorney General of the State of California, through  
Timothy L. Newlove, Deputy Attorney General.

2. Respondent DENNIS EDWARD BRIGHT (Respondent) is representing  
himself in this matter.

///



1                   3.     On March 31, 1976, the Board of Registered Nursing (Board) issued  
2 Registered Nurse License number 263642 to respondent BRIGHT. This license will expire  
3 on November 30, 2005, unless renewed.

4                                   **JURISDICTION**

5                   4.     On September 9, 2003, Accusation No. 2004-69, was filed before the  
6 Board and is currently pending against respondent BRIGHT. The Accusation, together with all  
7 other statutorily required documents, were properly served on respondent on October 7, 2003.  
8 On October 21, 2003, respondent filed a Notice of Defense contesting the Accusation. A true and  
9 correct copy of the Accusation in Case No. 2004-69 is attached hereto as Exhibit A, and  
10 incorporated herein by this reference.

11                                   **ADVISEMENT AND WAIVERS**

12                   5.     Respondent BRIGHT has carefully read and understands the charges and  
13 allegations in the Accusation, Case No. 2004-69. Respondent has also carefully read and  
14 understands the effects of this Stipulated Settlement and Disciplinary Order.

15                   6.     Respondent BRIGHT is fully aware of his legal rights in this matter,  
16 including the right to a hearing on the charges and allegations in the Accusation; the right to be  
17 represented by counsel at his own expense; the right to confront and cross-examine the witnesses  
18 against him; the right to present evidence and to testify on his own behalf; the right to the  
19 issuance of subpoenas to compel the attendance of witnesses and the production of documents;  
20 the right to reconsideration and court review of an adverse decision; and all other rights accorded  
21 by the California Administrative Procedure Act, and other applicable laws.

22                   7.     Respondent BRIGHT voluntarily, knowingly, and intelligently waives and  
23 gives up each and every right set forth above.

24                                   **CULPABILITY**

25                   8.     Respondent BRIGHT admits the truth of each and every charge and  
26 allegation in the Accusation, Case No. 2004-69.

27                   9.     Respondent BRIGHT agrees that his Registered Nurse License is subject  
28 to discipline, and he agrees to be bound by the Board's imposition of discipline as set forth in the

Disciplinary Order below.

**RESERVATION**

10. The admissions made by respondent BRIGHT herein are only for the purposes of this proceeding, or any other proceedings in which the Board of Registered Nursing or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

**CONTINGENCY**

11. This Stipulated Settlement and Disciplinary Order shall be subject to approval by the Board. Respondent BRIGHT understands and agrees that the staff of the Board of Registered Nursing and counsel for Complainant may communicate directly with the Board regarding this Stipulated Settlement, without notice to or participation by respondent. By signing the Stipulated Settlement, respondent understands and agrees that he may not withdraw his agreement or seek to rescind the agreement prior to the time the Board considers and acts upon it. If the Board fails to adopt this Stipulated Settlement as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

**DISCIPLINARY ORDER**

IT IS HEREBY ORDERED that Registered Nurse License number 263642, issued to respondent DENNIS EDWARD BRIGHT, is revoked. However, the revocation is stayed and respondent's Registered Nurse License is placed on probation to the Board for three

1 (3) years on the following terms and conditions.

2                   **SEVERABILITY CLAUSE** - Each term and condition of probation contained  
3 herein is a separate and distinct term and condition. If any term and condition of this  
4 Disciplinary Order, or any application thereof, is declared unenforceable in whole, in part, or to  
5 any extent, the remainder of this Order, and all other applications thereof, shall not be affected.  
6 Each term and condition of this Disciplinary Order shall separately be valid and enforceable  
7 to the fullest extent permitted by law.

8                   1.     **Obey All Laws.** Respondent shall obey all federal, state and local laws.  
9 A full and detailed account of any and all violations of law shall be reported by the respondent  
10 to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring  
11 of compliance with this term, respondent shall submit completed fingerprint cards and fingerprint  
12 fees within 45 days of the effective date of the Decision, unless previously submitted as part  
13 of the licensure application process. Respondent shall submit a recent 2" x 2" photograph  
14 of herself within 45 days of the effective date of the final Decision.

15                   **Criminal Court Orders:** If respondent is under criminal court orders, including  
16 probation or parole, and the order is violated, this shall be deemed a violation of these probation  
17 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

18                   2.     **Comply with Probation Program.** Respondent shall fully comply  
19 with the terms and conditions of the Probation Program established by the Board and cooperate  
20 with representatives of the Board in its monitoring and investigation of the respondent's  
21 compliance with the Probation Program. Respondent shall inform the Board in writing within no  
22 more than 15 days of any address change and shall at all times maintain an active, current license  
23 status with the Board, including during any period of suspension.

24                   Upon successful completion of probation, respondent's license shall be fully  
25 restored.

26                   3.     **Report in Person.** Respondent, during the period of probation, shall appear  
27 in person at interviews/meetings as directed by the Board or its designated representatives.

28                   4.     **Residency, Practice, or Licensure Outside of State.** Periods of

1 residency or practice as a registered nurse outside of California shall not apply toward a reduction  
2 of this probation time period. Respondent's probation is tolled, if and when he resides outside  
3 of California. The respondent must provide written notice to the Board within 15 days of any  
4 change of residency or practice outside the state, and within 30 days prior to re-establishing  
5 residency or returning to practice in this state.

6 Respondent shall provide a list of all states and territories where he has ever been  
7 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further  
8 provide information regarding the status of each license and any changes in such license status  
9 during the term of probation. Respondent shall inform the Board if he applies for or obtains a  
10 new nursing license during the term of probation.

11 5. **Submit Written Reports.** Respondent, during the period of probation,  
12 shall submit or cause to be submitted such written reports/declarations and verification of actions  
13 under penalty of perjury, as required by the Board. These reports/declarations shall contain  
14 statements relative to respondent's compliance with all the terms and conditions of the Board's  
15 Probation Program. Respondent shall immediately execute all release of information forms as  
16 may be required by the Board or its representatives.

17 Respondent shall provide a copy of this Decision to the nursing regulatory agency  
18 in every state and territory in which he has a registered nurse license and/or public health nurse  
19 certificate.

20 **Provide Decision -** Respondent shall provide a copy of this Decision to the  
21 nursing regulatory agency in every state and territory in which he has a registered nurse license  
22 and/or public health nurse certificate.

23 6. **Function as a Registered Nurse.** Respondent, during the period of  
24 probation, shall engage in the practice of registered nursing in California for a minimum of 24  
25 hours per week for 6 consecutive months or as determined by the Board.

26 For purposes of compliance with the section, "engage in the practice of registered  
27 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or  
28 work in any non-direct patient care position that requires licensure as a registered nurse.

1           The Board may require that advanced practice nurses engage in advanced practice  
2 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the  
3 Board.

4           If respondent has not complied with this condition during the probationary term,  
5 and the respondent has presented sufficient documentation of his good faith efforts to comply  
6 with this condition, and if no other conditions have been violated, the Board, in its discretion,  
7 may grant an extension of the respondent's probation period up to one year without further  
8 hearing in order to comply with this condition. During the one year extension, all original  
9 conditions of probation shall apply.

10           **7. Employment Approval and Reporting Requirements.** Respondent  
11 shall obtain prior approval from the Board before commencing any employment, paid or  
12 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all  
13 performance evaluations and other employment related reports as a registered nurse upon request  
14 of the Board.

15           Respondent shall provide a copy of this Decision to his employer and immediate  
16 supervisor(s) prior to commencement of any nursing or other health care related employment.

17           In addition to the above, respondent shall notify the Board in writing within  
18 seventy-two (72) hours after he obtains any nursing or other health care related employment.  
19 Respondent shall notify the Board in writing within seventy-two (72) hours after he is terminated  
20 or separated, regardless of cause, from any nursing, or other health care related employment,  
21 with a full explanation of the circumstances surrounding the termination or separation.

22           **8. Supervision.** Respondent shall obtain prior approval from the Board  
23 regarding respondent's level of supervision and/or collaboration before commencing any  
24 employment as a registered nurse, or education and training that includes patient care.

25           Respondent shall practice only under the direct supervision of a registered nurse  
26 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative  
27 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)  
28 are approved.

Respondent's level of supervision and/or collaboration may include, but is not limited to the following:

(a) Maximum - The individual providing supervision and/or collaboration is present in the patient care area or in any other work setting at all times.

(b) Moderate - The individual providing supervision and/or collaboration is in the patient care unit or in any other work setting at least half the hours respondent works.

(c) Minimum - The individual providing supervision and/or collaboration has person-to-person communication with respondent at least twice during each shift worked.

(d) Home Health Care - If respondent is approved to work in the home health care setting, the individual providing supervision and/or collaboration shall have person-to-person communication with respondent as required by the Board each work day. Respondent shall maintain telephone or other telecommunication contact with the individual providing supervision and/or collaboration as required by the Board during each work day. The individual providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to patients' homes visited by the respondent with or without respondent present.

**9. Employment Limitations.** Respondent shall not work for a nurse's registry, in any private duty position as a registered nurse, a temporary nurse placement agency, or for an in-house nursing pool.

Respondent shall not work for a licensed home health agency as a visiting nurse unless the registered nursing supervision and other protections for home visits have been approved by the Board. Respondent shall not work in any other registered nursing occupation where home visits are required.

Respondent shall not work in any health care setting as a supervisor of registered nurses. The Board may additionally restrict Respondent from supervising licensed vocational nurses and/or unlicensed assistive personnel on a case-by-case basis.

Respondent shall not work as a faculty member in an approved school of nursing or as an instructor in a Board approved continuing education program.

Respondent shall work only on a regularly assigned, identified and predetermined

1 worksite(s) and shall not work in a float capacity.

2 If the respondent is working or intends to work in excess of 40 hours per week,  
3 the Board may request documentation to determine whether there should be restrictions on the  
4 hours of work.

5 10. **Complete a Nursing Course(s).** Respondent, at his own expense, shall  
6 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later  
7 than six months prior to the end of his probationary term.

8 Respondent shall obtain prior approval from the Board before enrolling in the  
9 course(s). Respondent shall submit to the Board the original transcripts or certificates of  
10 completion for the above required course(s). The Board shall return the original documents to  
11 respondent after photocopying them for its records.

12 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with  
13 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the  
14 amount of \$1,000. Respondent shall be permitted to pay these costs in a payment plan approved  
15 by the Board, with payments to be completed no later than three months prior to the end of the  
16 probation term.

17 If respondent has not complied with this condition during the probationary term,  
18 and respondent has presented sufficient documentation of his good faith efforts to comply with  
19 this condition, and if no other conditions have been violated, the Board, in its discretion, may  
20 grant an extension of the respondent's probation period up to one year without further hearing in  
21 order to comply with this condition. During the one year extension, all original conditions of  
22 probation will apply.

23 12. **Violation of Probation.** If respondent violates the conditions of his  
24 probation, the Board, after giving respondent notice and an opportunity to be heard, may set aside  
25 the stay order and impose the stayed discipline (revocation/suspension) of respondent's license.

26 If, during the period of probation, an accusation or petition to revoke probation  
27 has been filed against respondent's license or the Attorney General's Office has been requested  
28 to prepare an accusation or petition to revoke probation against respondent's license, the

1 probationary period shall automatically be extended and shall not expire until the accusation or  
2 petition has been acted upon by the Board.

3           **13. License Surrender.** During respondent's term of probation, if he ceases  
4 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of  
5 probation, respondent may surrender his license to the Board. The Board reserves the right to  
6 evaluate respondent's request and to exercise its discretion whether to grant the request, or to  
7 take any other action deemed appropriate and reasonable under the circumstances, without  
8 further hearing. Upon formal acceptance of the tendered license and wall certificate, respondent  
9 will no longer be subject to the conditions of probation.

10           Surrender of respondent's license shall be considered a disciplinary action and  
11 shall become a part of respondent's license history with the Board. A registered nurse whose  
12 license has been surrendered may petition the Board for reinstatement no sooner than the  
13 following minimum periods from the effective date of the disciplinary decision:

14           1. Two years for reinstatement of a license that was surrendered for any reason  
15 other than a mental or physical illness; or

16           2. One year for a license surrendered for a mental or physical illness.

17           **14. Therapy or Counseling Program.** Respondent, at his expense, shall  
18 participate in an ongoing counseling program until such time as the Board releases him from this  
19 requirement and only upon the recommendation of the counselor. Written progress reports from  
20 the counselor will be required at various intervals.

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1 ACCEPTANCE

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3 I have carefully read the above Stipulated Settlement and Disciplinary Order. I  
4 understand the Stipulation and the effect it will have on my Registered Nurse License number  
5 263642. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly,  
6 and intelligently, and agree to be bound by the Decision and Order of the Board of Registered  
7 Nursing.

8  
9 DATED: 02/22/2005

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11   
12 DENNIS EDWARD BRIGHT  
13 Respondent

14 ENDORSEMENT

15  
16 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
17 submitted for consideration by the Board of Registered Nursing of the Department of Consumer  
18 Affairs in resolution of the Accusation, Case No. 2004-69, against DENNIS EDWARD  
19 BRIGHT.

20  
21 DATED: FEB 24, 2005

22  
23 BILL LOCKYER, Attorney General  
24 of the State of California

25   
26 TIMOTHY L. NEWLOVE  
27 Deputy Attorney General

28 Attorneys for Complainant

**Exhibit A**  
**Accusation No. 2004-69**

BILL LOCKYER, Attorney General  
of the State of California  
SUSAN A. RUFF, State Bar No. 115869  
Deputy Attorney General  
California Department of Justice  
110 West "A" Street, Suite 1100  
San Diego, CA 92101

P.O. Box 85266  
San Diego, CA 92186-5266  
Telephone: (619) 645-2077  
Facsimile: (619) 645-2061

Attorneys for Complainant

**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2004-69

DENNIS EDWARD BRIGHT  
25 Coral Sea  
Laguna Niguel, CA 92677

**ACCUSATION**

Registered Nurse License No. 263642

Respondent.

Complainant alleges:

**PARTIES**

1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation solely in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs.

2. On or about March 31, 1976, the Board of Registered Nursing ("Board") issued registered nurse license number 263642 to Dennis Edward Bright ("respondent"). The registered nurse license will expire on November 30, 2003, unless renewed.

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## STATUTORY PROVISIONS

3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

4. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

5. Section 2761 of the Code provides, in pertinent part, that:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

...

"(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof."

6. Section 490 of the Code provides that:

"A board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action which a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code."

///

7. Section 125.3 of the Code provides, in pertinent part, that the Board may request an administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

#### FIRST CAUSE FOR DISCIPLINE

(Conviction)

8. On or about September 16, 2002, in the United States District Court, Central District of California, in case number SA CR 01-43(A)-AHS, entitled United States of America v. Dennis Edward Bright, respondent was convicted on his plea of guilty to five counts of violating 18 U.S.C. § 1341 (mail fraud) and 18 U.S.C. § 2 (causing an act to be done). Respondent was sentenced to 27 months in prison and ordered to make restitution to his victims. Complainant is informed and believes that respondent is still incarcerated at the time of filing this Accusation.

9. Respondent's conduct, as more particularly set forth in paragraph 8 above, violated Code sections 490 and 2761(f) in that respondent was convicted of crimes substantially related to the qualifications, functions and duties of a registered nurse. The facts and circumstances underlying those convictions are set forth in the First Superseding Indictment in United States District Court case number SA CR 01-43(A)-AHS, a copy of which is attached to this Accusation as Exhibit "A" and incorporated herein by reference as if fully set forth at this point.


#### PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending registered nurse license number 263642, issued to respondent;
2. Ordering respondent to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: 9/9/03

  
RUTH ANN TERRY, M.P.H., RN.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

## Exhibit A

First Superseding Indictment  
Case No. SA CR 01-43(A)-AHS

FILED  
CLERK, U.S. DISTRICT COURT

APR 24 2002

CENTRAL DISTRICT OF CALIFORNIA  
BY *Wm* DEPUTY

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

October 2001 Grand Jury

UNITED STATES OF AMERICA,

SA CR 01-43(A) -AHS

Plaintiff,

F I R S T  
S U P E R S E D I N G  
I N D I C T M E N T

v.

DENNIS BRIGHT,

[18 U.S.C. § 1341: Mail Fraud;  
18 U.S.C. § 2: Causing An Act  
To Be Done]

Defendant.

The Grand Jury charges:

COUNTS ONE THROUGH FOURTEEN

[18 U.S.C. §§ 1341, 2]

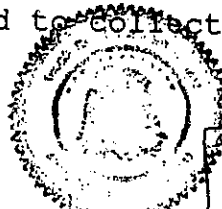
A. INTRODUCTION

1. At all times relevant to this Indictment, defendant DENNIS BRIGHT ("BRIGHT") owned and operated businesses known as Advanced Medical Research ("AMR"), Advanced Medical Technologies ("AMT"), Rx-Technix Labs ("RTL"), Health Research Institute ("HRI") and Pacific Labs (referred to collectively as "the Bright companies").

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2. At all times relevant to this Indictment, the Bright companies were based in Orange County and purportedly offered nurses the opportunity to earn substantial income working at home processing medical surveys.

B. THE SCHEME TO DEFRAUD

3. Beginning in or about July 1997, and continuing until at least December 1999, in the Central District of California and elsewhere, defendant BRIGHT knowingly devised, participated in, and executed a scheme to defraud and to obtain money by means of false and fraudulent pretenses, representations and promises, and by the concealment of material facts.

4. Defendant BRIGHT carried out the scheme to defraud in the following manner:

a. Defendant BRIGHT, and others acting at his direction, placed advertisements in newspapers and other publications throughout the United States seeking nurses to evaluate medical surveys.

b. At defendant BRIGHT's direction, nurses who responded to these advertisements received letters from one of the Bright companies offering the opportunity to work at home processing health surveys in return for payment of an initial registration fee.

c. The letters sent by AMR, AMT, and HRI at defendant BRIGHT's direction to prospective nurse participants falsely represented:

(1) medical surveys for the nurse to process would come directly from either AMR, AMT, or HRI;

(2) the nurse would receive either \$20 (HRI) or \$30 (AMR and AMT) directly from the company for each survey processed;

(3) the nurse would "sell nothing;" and

(4) the surveys were part of a "medically supervised clinical trial" being conducted by AMR, AMT, or HRI.

d. The letters sent by RTL at defendant BRIGHT's direction to prospective nurse participants falsely represented (1) the nurse would receive \$30 for each survey processed; and (2) the surveys were part of a "medically supervised clinical trial" being conducted by RTL. The letters failed to disclose that participating nurses would be required to sell weight loss products to earn the income promised by RTL.

e. The letters sent by Pacific Labs at defendant BRIGHT's direction to prospective nurse participants falsely represented the nurse would receive \$45 from Pacific Labs for processing medical surveys. The letters failed to disclose that participating nurses would be required to sell weight loss products to earn the income promised by Pacific Labs.

f. Defendant BRIGHT used false names in the letters sent by the Bright companies to prospective nurse participants.

5. In fact, as defendant BRIGHT knew, the Bright companies were not conducting any medically supervised clinical trials. In addition, as defendant BRIGHT knew, the participating nurses were required to sell weight loss products. Finally, as defendant BRIGHT knew, the medical surveys, as well as payment for processing them, would not come from one of the Bright

1 companies, but rather would come from the third persons to whom  
2 the nurse sold the weight loss products.

3 6. By deceiving victims into sending money based on the  
4 above false representations, defendant BRIGHT caused over 9400  
5 victims to lose approximately \$613,575.

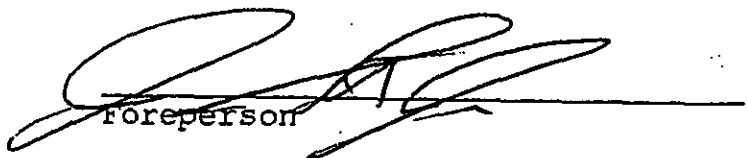
6 C. THE MAILINGS

7 7. On or about the dates listed below, within the Central  
8 District of California and elsewhere, defendant BRIGHT, for the  
9 purpose of carrying out the fraudulent scheme described above,  
10 knowingly caused the items described below to be placed in an  
11 authorized depository for mail matter, and to be sent and  
12 delivered by the U.S. Postal Service according to the directions  
13 thereon:

<u>COUNT</u>	<u>DATE</u>	<u>DESCRIPTION</u>
14 ONE	5/8/1998	Check for \$65 from Carrie Rose of Saratoga, CA to AMR
16 TWO	5/16/1998	Check for \$65 from Stacy Berkowitz of Sacramento, CA to AMR
18 THREE	5/29/1998	Check for \$65 from Katherine Coats of Phoenixville, PA to AMR
20 FOUR	6/10/1998	Check for \$65 from Phyllis Erskine of Spring Hill, FL to AMR
22 FIVE	6/22/1998	Check for \$65 from Connie Hamill of Edgewood, NM to AMR
24 SIX	8/1/1998	Check for \$65 from Alberta Brescia of Staten Island, NY to AMT
26 SEVEN	8/19/1998	Check for \$65 from Dyan Billal of Aliso Viejo, CA to AMT
28 EIGHT	10/3/1998	Check for \$65 from Robin Rein of Baltimore, MD to AMT
NINE	9/4/1998	Check for \$68 from Renee Morton of Manhattan, KS to RTL

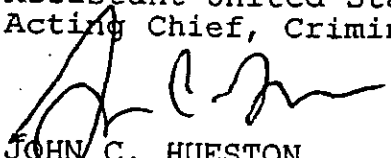
<u>COUNT</u>	<u>DATE</u>	<u>DESCRIPTION</u>
TEN	10/8/1998	Check for \$65 from Kimberly Crosby of Birmingham, AL to RTL
ELEVEN	8/11/1997	Check for \$65 from Linda Meixner of San Diego, CA to Health Research Institute
TWELVE	1/20/1998	Check for \$65 from Lisa Scata of Goffstown, NH to Health Research Institute
THIRTEEN	3/26/1999	Check for \$68 from Nancy Kaukola of Maple Grove, MN to Pacific Labs
FOURTEEN	4/24/1999	Check for \$68 from Kathy House of Philadelphia, PA to Pacific Labs

A TRUE BILL

  
Foreperson

JOHN S.. GORDON  
United States Attorney

RONALD L. CHENG  
Assistant United States Attorney  
Acting Chief, Criminal Division

  
JOHN C. HUESTON  
Assistant United States Attorney  
Chief, Santa Ana Branch Office